

Patrick G. Byrne (Nevada Bar #7636)
Morgan Petrelli (Nevada Bar #13221)
SNELL & WILMER L.L.P.
3883 Howard Hughes Parkway, Suite 1100
Las Vegas, NV 89169
Tel. 702.784.5200
Fax. 702.784.5252
Email: pbyrne@swlaw.com
mpetrelli@swlaw.com

Walter C. Carlson (*Pro Hac Vice* to be filed)
Lawrence P. Fogel (*Pro Hac Vice* to be filed)
SIDLEY AUSTIN LLP
One South Dearborn Street
Chicago, Illinois 60603
Tel. 312.853.7000
Fax. 312.853.7036
Email: wcarlson@sidley.com
lawrence.fogel@sidley.com

*Attorneys for Defendants Las Vegas Sands Corp.
and Patrick Dumont*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

THE DANIELS FAMILY 2001
REVOCABLE TRUST, Individually and
On Behalf of All Others Similarly Situated,

Plaintiff,

v.

LAS VEGAS SANDS CORP., SHELDON
G. ADELSON, and PATRICK DUMONT,

Defendants.

Case No. 2:20-cv-01958-GMN-EJY

**AMENDED STIPULATION AND
~~PROPOSED~~ ORDER REGARDING
SCHEDULING
(SECOND REQUEST)**

WHEREAS, on October 22, 2020, the Daniels Family 2001 Revocable Trust filed a class action complaint alleging violations of the securities laws against defendants Las Vegas Sands Corp., Sheldon G. Adelson, and Patrick Dumont (the “Defendants”). ECF No. 1.

WHEREAS, on December 21 and 22, 2020, three movants, including Carl S. Ciaccio and Donald M. DeSalvo, moved for appointment as lead plaintiff and for approval of selection of counsel. ECF Nos. 11-13.

1 WHEREAS, on January 5, 2021, the Court issued an Order appointing Carl S. Ciaccio and
2 Donald M. DeSalvo as co-lead Plaintiffs and approving the selection of Levi & Korsinsky, LLP as
3 lead counsel, and the Aldrich Law Firm, Ltd. as liaison counsel. ECF No. 19.

4 WHEREAS, on January 21, 2021, the parties to this action filed a Stipulation and Proposed
5 Order Regarding Scheduling, setting forth a schedule for Plaintiffs to file an amended complaint
6 and for briefing on Defendants' anticipated motion to dismiss. ECF No. 21.

7 WHEREAS, on January 22, 2021, the Court issued an Order denying the Stipulation and
8 Proposed Order Regarding Scheduling without prejudice. ECF No. 23.

9 WHEREAS, the parties to this action hereby submit this Amended Stipulation and Proposed
10 Order Regarding Scheduling, setting forth the basis for the below proposed briefing schedule. In
11 addition, this amended proposal includes a shortened proposed period for Plaintiffs to file an
12 Amended Complaint.

13 NOW, THEREFORE, it is hereby STIPULATED and AGREED as follows:

14 1. This is a putative class action alleging violations of the federal securities laws by
15 multiple defendants. The allegations in the Complaint relate to events that occurred in Singapore,
16 and assert that Defendants made several false and misleading statements regarding a variety of
17 topics in numerous public filings over a time period spanning four and a half years (the "Class
18 Period").

19 2. Plaintiffs state that, since their appointment as co-lead plaintiffs, they, through their
20 counsel, have diligently commenced their investigation into their class-wide securities claims in
21 advance of the filing of an Amended Complaint. Any amended pleading will be subject to the
22 heightened pleading requirements set forth in the Private Securities Litigation Reform Act
23 ("PSLRA"), 15 U.S.C. § 78u-4(b), and will not benefit from any formal discovery given the
24 PSLRA's mandatory discovery stay. *See* 15 U.S.C. § 78u-4(b)(3)(B). Plaintiffs further state that
25 the opportunity to conduct a fulsome and robust investigation into the facts of the anticipated
26 Amended Complaint is of paramount importance to Plaintiffs, both for themselves and for the
27 benefit of the putative class they seek to represent. Plaintiffs further state the complexity of the
28

underlying facts and geographic challenges in this action justify the time requested to complete Plaintiffs' investigation and amend the Complaint. Plaintiffs state that this matter involves alleged wrongdoing in the Singapore facility of defendant Las Vegas Sands Corp., and Plaintiffs' investigation will encompass, among other things, inquiry into the alleged wrongdoing at the Singapore facility, as well as the alleged resulting regulatory investigation and private lawsuit. In addition to witnesses in Singapore, Plaintiffs' investigation also includes potential witnesses in the People's Republic of China – a country with extensive national holidays during the month of February to celebrate the Lunar New Year that result in much of the country being closed for up to two weeks. Further, the ongoing COVID-19 pandemic continues to impact investigation lead times as witnesses can be more difficult to locate and contact. For each of these reasons, Plaintiffs submit that the pleading and briefing schedule contemplated herein is fair and reasonable.

3. Given the anticipated modifications to the Amended Complaint, the number of Defendants, the significance of the allegations set forth in the Complaint, the length of the proposed Class Period, and the recent passing of one of the Defendants, Mr. Adelson,¹ Defendants anticipate needing additional time to respond to the Amended Complaint. In particular, Defendants will need to respond to each alleged misstatement, and anticipate moving for dismissal on multiple grounds.

4. Plaintiffs likewise anticipate needing additional time to respond to Defendants' Motion to Dismiss, given its anticipated length and multiple arguments for dismissal.

5. Courts in this District have previously entered briefing schedules in other putative class actions alleging violations of the federal securities laws that allow for similar, additional periods of time for the filing of an amended complaint and briefing of a motion to dismiss. *See, e.g., Ferris v. Wynn Resorts Limited*, Case No. 2:18-cv-00479-GMN-DJA (D. Nev.) (ECF No. 47) (approving proposed pleading and response scheduling order that provided 87 days between the appointment of lead plaintiff and the filing of an amended pleading in a federal securities class action); *In re MGM Mirage Sec. Litig.*, No. 2:09-cv-1558-GMN-LRL (D. Nev.) (ECF No. 89)

¹ The parties anticipate following the appropriate procedure for notice of death and substitution of party, as set forth in Federal Rule of Civil Procedure 25.

(approving stipulated schedule allowing 81 days from the appointment of lead plaintiff for the filing of an amended complaint, and 60 days for the filing of a motion to dismiss); *In re: CV Sciences, Inc. Sec. Litig.*, Case No. 2:18-cv-01602-JAD-PAL (D. Nev.) (ECF No. 25) (ordering proposed motion to dismiss briefing schedule contemplating 60 days to file motion and 59 days to oppose).

6. In light of the above, the parties to this action, by their undersigned counsel and subject to the approval of the Court, have agreed to the following regarding service and a schedule for the filing of an Amended Complaint and briefing of Defendants' response to the Amended Complaint:

- a. Defendants' undersigned counsel agrees to accept service of the Complaint on behalf of Las Vegas Sands Corp. and Patrick Dumont.
- b. Defendants shall have no obligation to answer or otherwise respond to the Complaint that has been filed.
- c. Plaintiffs shall have until **March 8, 2021** to file an Amended Complaint.
- d. Defendants shall have until **May 7, 2021** to respond, including by filing any Motion to Dismiss.
- e. Plaintiffs shall have until **July 6, 2021** to file any Opposition to any such Motion to Dismiss.
- f. Defendants shall have until **August 5, 2021** to file their Reply Brief to such Motion to Dismiss.

1 Dated: January 26, 2021

2 **ALDRICH LAW FIRM, LTD.**

SNELL & WILMER, L.L.P.

3 By: /s/ John P. Aldrich

By: /s/ Patrick G. Byrne

4 John P. Aldrich, Esq.
7866 West Sahara Ave.
5 Las Vegas NV 89117
Tel. 702.853.5490
6 Fax. 702.227.1975
Email: jaldrich@johnaldrichlawfirm.com

Patrick G. Byrne, Esq.
Morgan Petrelli, Esq.
3883 Howard Hughes Parkway,
Ste. 1100
Las Vegas, NV 89169
Tel. 702.784.5200
Fax: 702.784.5252
Email: pbyrne@swlaw.com
mpetrelli@swlaw.com

7 Shannon L. Hopkins (*Pro Hac Vice* to be
8 filed)
Sebastiano Tornatore (*Pro Hac Vice* to be
9 filed)
LEVI & KORSINSKY, LLP
1111 Summer Street, Ste. 403
10 Stamford, Connecticut 06905
Tel. 203.992.4523
11 Fax. 212.363.7500
12 Email: shopkins@zlk.com

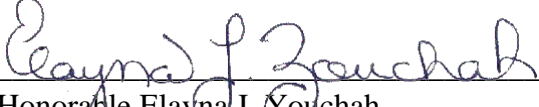
Walter C. Carlson (*Pro Hac Vice* to be
filed)
Lawrence P. Fogel (*Pro Hac Vice* to be
filed)
SIDLEY AUSTIN LLP
One South Dearborn Street
Chicago, Illinois 60603
Tel. 312.853.7000
Fax. 312.853.7036
Email: wcarlson@sidley.com
lawrence.fogel@sidley.com

13 *Attorneys for Lead Plaintiffs Carl S. Ciaccio*
14 *and Donald M. DeSalvo*

Attorneys for Defendants Las Vegas Sands Corp.
and Patrick Dumont

15 **IT IS SO ORDERED.**

20 **IT IS SO ORDERED:**

21 
22 _____
23 Honorable Elayna J. Youchah
24 United States Magistrate Judge

25 DATED: January 26, 2021